IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

Crl.Rev.Pet.No. 1961 of 2007()

CRA.51/2006 of ADDL. SESSIONS COURT(ADHOC) FAST TRACK III, PATHANAMTHITTA
ST.1142/2004 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II,PATHANAMTHITTA

.....

REVN. PETITIONER: APPELLANT/ACCUSED

M.E.YOUSEF,
ROSE HOUSE, PETTAH, PATHANAMTHITTA VILLAGE.

BY ADV. SRI.S.SHANAVAS KHAN
SMT.S.INDU

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

---

1. M.ALIYAR,
PEERU VEEDU, PETTAH, PATHANAMTHITTA.

2. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1961 of 2007

Dated this the 24th day of May, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for three months and to pay a compensation of Rs.80,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for two months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. Revision petitioner is granted six months' time from today onwards to make the payment. He shall appear before the Judicial First Class Magistrate Court-II, Pathanamthitta on 24.11.2007 to receive the sentence. Non bailable warrant, pending, if any shall be kept in abeyance till 24.11.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl